

<b>Notice of Allowability</b>	Application No.	Applicant(s)	
	10/716,367	LACEY ET AL.	
	Examiner	Art Unit	
	Frederick F. Rosenberger	2884	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment filed on 27 June 2006.
2. ☒ The allowed claim(s) is/are 1,4-14 and 16-22.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |   |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)           |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment                              |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance  |
|   | 9. <input type="checkbox"/> Other _____   |

## **DETAILED ACTION**

### ***Response to Amendment***

1. Applicant's reply, filed 27 June 2006, has been received and entered.

Accordingly, claims 1, 4, 10, 16, and 20 have been amended. Claims 2, 3, and 15 have been cancelled. Claims 21 and 22 have been added. Thus, claims 1, 4-14, and 16-22 are currently pending in this application.

### ***Allowable Subject Matter***

2. Claims 1, 4-14, and 16-22 are allowed.
3. The following is an examiner's statement of reasons for allowance:

With regards to independent claim 1 and dependent claims 4-9, while aspects of the invention can be found in the prior art, the prior art does not teach or suggest the limitation of a controller driving the thermoelectric cooler and the heater to provide a nonuniform temperature profile along the detector array, as recited in independent claim 1. Yoshioka discloses a parabolic temperature profile (see Figure 9), but cites this as a negative limitation of prior art temperature stabilization systems (page 4 of the translation, lines 4-15). The prior art of record emphasizes attainment of a uniform temperature profile for the detector array. As such, applicant's disclosure represents a novel and nonobvious improvement over the prior art. Accordingly, claims 1 and 4-9 are allowed.

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With regards to independent claim 10 and dependent claims 11-14 and 21, while aspects of the invention can be found in the prior art, the prior art does not teach or suggest a method for maintaining a nonuniform temperature profile along a detector array in a CT scanning operation by commanding a thermoelectric cooler and a heater, as recited in independent claim 10. The prior art of record emphasizes attainment of a uniform temperature profile for the detector array. As such, applicant's disclosure represents a novel and nonobvious improvement over the prior art. Accordingly, claims 10-14 and 21 are allowed.

With regards to independent claim 16 and dependent claims 17-20 and 22, while aspects of the invention can be found in the prior art, the prior art does not teach or suggest the limitation of a controller driving the thermoelectric cooler and the heater to maintain a nonuniform temperature profile along the detector array, as recited in independent claim 16. The prior art of record emphasizes attainment of a uniform temperature profile for the detector array. As such, applicant's disclosure represents a novel and nonobvious improvement over the prior art. Accordingly, claims 16-20 and 22 are allowed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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**Conclusion**

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Frederick F. Rosenberger whose telephone number is 571-272-6107. The examiner can normally be reached on Monday-Friday 8:00 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Porta can be reached on 571-272-2444. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Frederick F. Rosenberger  
Patent Examiner  
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TECHNOLOGY CENTER 2800